

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA**

UNITED STATES OF AMERICA,

v.

SCOTT JENKINS,

Defendant.

Case No. 3:23-cr-00011-NKM-JCH-1

**CONSENT MOTION TO CONTINUE TRIAL DATE**

Defendant, Scott Jenkins, through undersigned counsel, and pursuant to LCrR 12, hereby moves this court for a continuance of the trial in this matter, which currently is scheduled for May 13, 2024. Undersigned counsel has conferred with counsel for the United States and counsel for co-defendant Rick Tariq Rahim<sup>1</sup>, and they do not oppose this motion.

In support of this motion, undersigned counsel states as follows:

1. Undersigned counsel Christopher Leibig entered his appearance in this matter on September 12, 2023. That same day, Mr. Leibig filed a motion for undersigned counsel Philip Andonian to appear in this matter *pro hac vice*. On September 14, 2023, the Court granted that motion.

2. Mr. Andonian will be serving as lead trial counsel in this case.

3. Messrs. Leibig and Andonian joined these proceedings after the initial trial date was set and several months after the government began producing discovery in this matter, and thus were well behind in receiving and processing the voluminous materials from the government and conducting their own investigation. Moreover, all but one of the co-defendants

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<sup>1</sup> Mr. Rahim is the only remaining co-defendant who has not entered or notified the Court of his intent to enter a guilty plea in this matter.

have since entered guilty pleas (or have notified the Court of their intent to do so), which makes them additional potential witnesses requiring further investigation and discovery.

4. Although Mr. Andonian has been working diligently to digest the discovery and prepare for trial in this matter, the amount of discovery materials is enormous, and Mr. Andonian simply will not be ready for the currently scheduled trial date of May 13, 2024. If Defendant is required to proceed to trial as scheduled, he therefore would be deprived of his constitutionally guaranteed right to effective assistance of counsel.

5. Mr. Andonian has discussed this matter with counsel for the government and counsel for co-defendant Rick Tariq Rahim, and they do not oppose this motion. The other co-defendants will not be prejudiced by this motion as they all have entered, or have notified the Court of their intent to enter, a guilty plea in this matter.

6. This is undersigned counsel's first request for a continuance.

7. After conferring with counsel for the government and co-defendant Rick Rahim, as well as the Court's courtroom deputy, all parties can be present for trial on November 14-15 and 18-22.

8. Defendant agrees that justice requires waiver of his rights under the Speedy Trial Act ("the Act") and he consents to setting trial in this matter outside the 70-day time limit under the Act.

WHEREFORE, undersigned counsel respectfully requests that the Court grant this motion and continue the May 13 trial date until November 14, 2024.

Dated: February 28, 2024

Respectfully submitted,

\_\_\_\_\_/S/ Christopher Leibig\_\_\_\_\_  
Christopher Leibig (VA Bar No. 40594)  
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\* - Admitted *pro hac vice*

*Counsel for Defendant Scott Jenkins*

**CERTIFICATE OF SERVICE**

I, Philip Andonian, hereby certify that on February 28, 2024, I served a copy of the foregoing motion on all counsel of record via the Court's CM/ECF system as well as via electronic mail as follows:

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\_\_\_\_\_/S/\_\_\_\_\_  
Philip Andonian

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**[PROPOSED] ORDER**

Upon consideration of Defendant Scott Jenkins's Motion to Continue Trial Date, and for good cause found, it is hereby,

**ORDERED**, that the current trial dates in this matter of May 13-24, 2024 are hereby **VACATED**. And it is

**FURTHER ORDERED**, that the trial in this matter shall be reset to November 14-22 2024.

Dated: \_\_\_\_\_

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Hon. Norman K. Moon  
United States District Judge